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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,123	03/23/2004	Guo-Zua Wu	3313-1140PUS1	2127

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EXAMINER
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HOFFMAN, BRANDON S

ART UNIT	PAPER NUMBER
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2136

NOTIFICATION DATE	DELIVERY MODE
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08/28/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Office Action Summary

Application No.

10/806,123

Applicant(s)

WU ET AL.

Examiner

Brandon S. Hoffman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-11 are pending in this office action.

***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 recites the limitation "the medium key block." There is insufficient antecedent basis for this limitation in the claim. Claims 2-7 are dependent upon claim 1 and therefore inherit its deficiencies.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 2, 4-9, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Irie et al. (U.S. Patent No. 7,061,850).

Regarding claim 1, Irie et al. teaches a method of controlling the access times to an optical disc with a private flag area and a main data area that stores scrambled original data, the method comprising the steps of:

- Reading the private flag area to obtain an address signal (col. 20, lines 30-40);
- Determining a medium key source according to the address signal (col. 20, lines 40-47);
- Reading a life flag area to obtain an access optical power signal (fig. 24, ref. num h);
- Using the access optical power signal to determine an access optical power for accessing the medium key block (MKB) (fig. 24, ref. num 714p);
- Using the access optical power to access the MKB and obtaining a medium key signal (fig. 24, ref. num 714q); and
- Using the medium key signal to restore the main data on the disc to the original data (fig. 24, ref. num 714r and 714s).

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Regarding claim 2, Irie et al. teaches wherein the step of accessing the MKB reads the medium key signal from the optical disc (fig. 23, ref. num 919).

Regarding claim 4, Irie et al. teaches wherein the MKB contains a plurality of data areas that records a common string (fig. 21, ref. num 736).

Regarding claim 5, Irie et al. teaches wherein the step of determining a medium key signal is performed according to the steps of:

- Reading the string in each data area of the MKB; classifying those with the same string to a group (fig. 16, ref. num 716);
- Computing the appearance frequencies of different strings in the different groups (fig. 17, ref. num 718b); and
- Using the data area string with the highest appearance string as the medium key signal (fig. 21, ref. num 736).

Regarding claim 6, Irie et al. teaches wherein the access optical power for reading the MKB is greater than the access optical power of other areas (col. 6, lines 16-27).

Regarding claim 7, Irie et al. teaches wherein the step of restoring the main data into the original data includes the steps of:

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- Combining the medium key signal with a device key of the optical disc drive to generate a title descramble key using a first descrambler (fig. 24, ref. num 714q);
- Combining the title descramble key with a title key data read from a title key area of the optical disc to generate a main data descramble key using a second descrambler (fig. 24, ref. num 714r); and
- Combining the main data descramble key with the main data read from a main data area of the optical disc to obtain the original data using a third descrambler (fig. 24, ref. num 714s).

Regarding claim 8, Irie et al. teaches an optical disc with a controllable access comprising:

- A medium key block (MKB), which is formed on the optical disc using a readable/writeable material for providing a medium key signal (fig. 21, ref. num 736);
- A flag area, which is formed on the optical disc to provide an access optical power signal and an address signal, the optical power signal controlling the access optical power for the MKB to be greater than the access optical power for other areas, the address signal determining the source of the MKB (fig. 24, ref. num 714c-714q);
- A title key area, which provides a title key signal (col. 24, lines 41-47); and
- A main data area, which provides main data that are scrambled original data (fig. 24, ref. num 714r and 714s).

Regarding claim 9, Irie et al. teaches wherein the MKB contains a plurality of data areas that record a common string (fig. 21, ref. num 736).

Regarding claim 11, Irie et al. teaches wherein the composition of the readable/writeable material includes Te (col. 7, lines 52-59).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irie et al. (USPN '850) in view of Ogura (U.S. Patent Pub. No. 2004/0015711).

Regarding claim 3, Irie et al. teaches all the limitations of claim 1, above. However, Irie et al. does not teach wherein the step of accessing the MKB reads the medium key signal from some external connected device.

Ogura teaches wherein the step of accessing the MKB reads the medium key signal from some external connected device (paragraph 0085).

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It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine reading the MKB from an external device, as taught by Ogura, with the method of Irie et al. It would have been obvious for such modifications because an external device can be kept secure by being separate from the optical medium.

Regarding claim 10, Irie et al. teaches all the limitations of claim 8, above. However, Irie et al. does not teach wherein the MKB is formed by embossing.

Ogura teaches wherein the MKB is formed by embossing (claim 9).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine embossing the MKB, as taught by Ogura, with the disc of Irie et al. It would have been obvious for such modifications because embossing puts data on a disk in a way that it cannot be removed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone



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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon Hoffman/

BH

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8,22,07